



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

March 18, 2022

BY ECF

Honorable Jesse M. Furman
United States District Judge
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, New York 10007

Re: *United States v. Joshua Adam Schulte,*
S3 17 Cr. 548 (JMF)

Dear Judge Furman:

The Government respectfully submits this letter pursuant to the Court's Order, dated March 14, 2022, directing the Government to address the defendant's March 11, 2022, letter and, in particular, his "claim that he does not have access to the system described in the Government's filing of March 9, 2022." (D.E. 738).

The Government provided a copy of the defendant's letter and the Court's order to legal counsel for the MDC. Following additional discussions between MDC counsel, the Trust Fund Specialist, and the defendant's unit manager, MDC counsel advised the Government that the defendant does not have access to the particular messaging service described in the March 9, 2022, letter and declaration due to the defendant's Special Administrative Measures ("SAMs"). The defendant has access to other TRULINCS services, but those services do not permit printing.

After learning this, the Assistant United States Attorneys responsible for this prosecution and supervisors within the U.S. Attorney's Office had numerous discussions with MDC legal counsel and MDC officials, up to and including the Warden, who has been personally involved in seeking to identify a means for the defendant to "be able to prepare, print, and file documents" (D.E. 723) consistent with the SAMs provisions and MDC security requirements. Accordingly, MDC is making a laser printer and printer paper available for the defendant to print documents from his discovery laptop. The defendant's ability to use the printer, however, requires the installation of a printer driver, which MDC is unable to do because the defendant has password-protected the laptop such that MDC does not have any access to it and MDC does not have system administrator access to the laptop. If the defendant provides his discovery laptop to the U.S. Attorney's Office, IT staff at the U.S. Attorney's Office should be able to install the printer driver and would do so promptly upon receiving the laptop. Once the printer driver is installed, the defendant will be able to print from the discovery laptop during law library hours.

In the interim, MDC is making an electric typewriter available to the defendant in the SAMs unit law library. Inmates in general population have access to the same type of typewriter in the Education Department, and the defendant's access to the typewriter will place him in a similar position to other inmates.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

by: _____ /s/

David W. Denton, Jr./Michael D. Lockard
Assistant United States Attorneys
(212) 637-2744/-2193

cc: Standby Counsel (by ECF)
Joshua Adam Schulte (by mail)